

of membership on the basis of race, creed, color, or national origin.

Public schools, hospitals, libraries, restaurants, hotels, doctor's office, and camps are all examples of places of public accommodation.

Under the LAD non religious schools are considered a place of public accommodation. School administration and staff may not deny any of the services provided in the school setting to any protected class member.

What do I do if I have been discriminated against?

When the parties are unable to resolve a dispute themselves, the law provides two basic ways to seek relief:

1. You can file a complaint with the New Jersey Division on Civil Rights. This type of complaint must be filed within 180 days of the last act of discrimination. An initial evaluation will determine if you state a claim for relief under the law, and then we will conduct an investigation into your allegations. If the investigation shows enough evidence to support your complaint, and your complaint cannot be settled, a hearing will be held in the Office of Administrative Law. Our services are free of charge.

You are not required to have an attorney represent you, but you may decide to consult with or retain an attorney at your own cost during the investigative and hearing process if you choose.

2. You can also file a complaint in the New Jersey State Superior Court. A Superior Court case must be filed within two years from the act of discrimination.



For more information, contact the office nearest you.

Atlantic City

26 S. Pennsylvania Avenue, 3rd Floor
Atlantic City, NJ 08401
(609) 441-3100 (Phone)
(609) 441-3578 (Fax)
(609) 441-7648 (TTY)

Camden

One Port Center
2 Riverside Drive, 4th Floor
Camden, NJ 08103
(856) 614-2550 (Phone)
(856) 614-2568 (Fax)
(856) 614-2574 (TTY)

Jersey City

574 Newark Avenue, 3rd Floor
Jersey City, NJ 07306
(201) 798-5168 (Phone)
Wednesdays only

Newark

31 Clinton Street, 3rd Floor
Newark, NJ 07102
(973) 648-2700 (Phone)
(973) 648-4405 (Fax)
(973) 648-4678 (TTY)

Paterson

100 Hamilton Plaza, 8th Floor
Paterson, NJ 07501
(973) 977-4500 (Phone)
(973) 977-4511 (Fax)
(973) 977-1955 (TTY)

Trenton

140 East Front Street, 6th Floor
Trenton, NJ 08625-0090
(609) 292-4605 (Phone)
(609) 984-3812 (Fax)
(609) 292-1785 (TTY)

www.NJCivilRights.org

Office of the Attorney General
Department of Law and Public Safety

CIVIL RIGHTS

NJ Division on Civil Rights

Know Your Rights as an Immigrant

**A helpful guide to your rights
under the New Jersey
Law Against Discrimination**



RICHARD J. CODEY
Acting Governor

PETER C. HARVEY
Attorney General

J. FRANK VESPA-PAPALEO
Director, NJ Division on Civil Rights

Introduction

Sometimes frustrated when they can't find the right door, often deterred by language barriers, other times turned victims, many immigrants in New Jersey are reluctant to seek assistance from law enforcement agencies and different public offices established to protect the rights of these New Jerseyans and working families.

The NJ Division on Civil Rights serves as a fair and impartial place for addressing discrimination claims for immigrants. Our commitment is to provide education and outreach services to immigrant communities. We are working aggressively to protect all people in New Jersey from discrimination.

We welcome all immigrants to visit our offices in Newark, Jersey City (open Wednesdays only), Paterson, Atlantic City, Trenton and Camden.

What does the Division on Civil Rights do?

The New Jersey Division on Civil Rights is the state agency that enforces the NJ Law Against Discrimination (LAD) and the New Jersey Family Leave Act (FLA). We help people fight back when they are discriminated against and we educate people about the laws we enforce.

I'm an immigrant, can I file a complaint under the New Jersey LAD?

Yes, all persons, including immigrants can file a complaint with the Division on Civil Rights under the LAD. Our services are free and confidential. All immigrants - no matter what your immigration status is - can file a complaint with us. We do not share information about your complaint to Immigration Services or INS.

What does the LAD prohibit?

The NJ LAD prohibits discrimination on the basis of race, creed, religion, color, national origin, age, sex, marital status, domestic partnership status, ancestry, disability, AIDS and HIV infection, nationality, affectional or sexual orientation, familial status, atypical hereditary cellular or blood trait, and liability for military service.

Who does the LAD protect?

The LAD protects individuals who fall into one of the protected classes (listed above) against discrimination in employment, housing, public accommodations and certain business transactions.

What if I think I am being discriminated against at work?

The LAD prohibits employers from discriminating in any job-related action, including recruitment, interviewing, hiring, promotions, discharge, compensation and the terms, conditions and privileges of employment on the basis of any of the protected categories mentioned above.

However, the LAD may allow employers to restrict employment to citizens of the United States, where such restrictions are required by federal law.

You have the right to apply for and be fairly considered for any job apprenticeship or training, no matter what your race, color and national origin.

As an immigrant you should know that it is against the law for employers and/or employment agencies to print, publish or circulate any advertising specifying a preference based on a person's race, color, sex or national origin, sexual orientation, or creed regarding employment opportunities.

The law also says that your employer or co-workers must not sexually harass you or any employees at work. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature.

What if I believe no one will rent or sell to me because I am an immigrant?

It is against the law refuse to sell, rent, lease or offer for sale, rental, or lease any property because of a person's race, national origin, color, sex, marital status or legal source of income (such as "Section 8").

For example, it is illegal for a landlord or real estate professional to refuse to rent or sell to someone because they are:

- a single mother with children
- a person wearing a head scarf or other religious garb
- to an individual with a disability or who relies on a guide or service animal
- a person who has a section 8 HUD voucher
- from another country.

In addition, it is illegal to subject a renter, applicant, or home buyer to sexual harassment.

What if I think I have been discriminated against at a hospital or a movie theater, am I protected then?

Yes, places such as hospitals, movie theaters, libraries and hotels are called public accommodations.

The LAD prohibits an owner, manager, or employee of any place that offers goods, services and facilities to the general public from denying any accommodation, service, benefit, or privilege to an individual because of that individual's race, creed, color, national origin, nationality, ancestry, marital status, sex, affectional or sexual orientation, or disability.

There are certain exceptions with regards to membership in private clubs. However, it is unlawful for a private club or association to discriminate against a member with respect to the advantages and privileges